

the insurmountable debt that all of us owe to all veterans. For, what is the price of freedom?

As President Kennedy once said, "The price of freedom is high, but Americans have always paid it." And no one has paid a higher price than the brave men and women through the years who gave the last full measure of devotion to their country. Whether it is the ultimate sacrifice of life or the loss of limb or the loss of time with family and friends, we owe our veterans and in this case, those who have died during their service, an enormous outstanding debt of gratitude.

From Bunker Hill to Yorktown, from Washington, DC to the Battle of New Orleans, from Bull Run to Gettysburg and Antietam to Appomattox, brave Americans gave their lives so that the Nation might live. And from Alsace Lorain to Verdun, and Normandy to Berlin and Pearl Harbor to Okinawa, from Inchon and Corregidor to Vietnam, Lebanon, Grenada, Kuwait, Afghanistan, and Iraq, Americans have nobly sacrificed their lives so that the world may live in freedom.

The debt of gratitude we owe to all of the soldiers, sailors, marines, and airmen who answered their Nation's call and made the supreme sacrifice can never be repaid. But we can give these fallen service men and women the recognition and honor they deserve by flying the National Flag at half-staff.

Madam Speaker, I ask all of my colleagues to join me in honoring our fallen heroes by supporting H.R. 692.

Mr. STUPAK. Madam Speaker, I yield back the balance of my time.

Mr. FORBES. Madam Speaker, once again I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. STUPAK) that the House suspend the rules and pass the bill, H.R. 692, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. STUPAK. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

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#### JOHN R. JUSTICE PROSECUTORS AND DEFENDERS INCENTIVE ACT OF 2007

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 916) to provide for loan repayment for prosecutors and public defenders, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 916

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "John R. Justice Prosecutors and Defenders Incentive Act of 2007".*

#### SEC. 2. LOAN REPAYMENT FOR PROSECUTORS AND DEFENDERS.

*Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following:*

##### "PART JJ—LOAN REPAYMENT FOR PROSECUTORS AND PUBLIC DEFENDERS

##### "SEC. 3111. GRANT AUTHORIZATION.

"(a) **PURPOSE.**—The purpose of this section is to encourage qualified individuals to enter and continue employment as prosecutors and public defenders.

"(b) **DEFINITIONS.**—In this section:

"(1) **PROSECUTOR.**—The term 'prosecutor' means a full-time employee of a State or local agency who—

"(A) is continually licensed to practice law; and

"(B) prosecutes criminal or juvenile delinquency cases (or both) at the State or local level, including an employee who supervises, educates, or trains other persons prosecuting such cases.

"(2) **PUBLIC DEFENDER.**—The term 'public defender' means an attorney who—

"(A) is continually licensed to practice law; and

"(B) is—

"(i) a full-time employee of a State or local agency who provides legal representation to indigent persons in criminal or juvenile delinquency cases (or both), including an attorney who supervises, educates, or trains other persons providing such representation;

"(ii) a full-time employee of a nonprofit organization operating under a contract with a State or unit of local government, who devotes substantially all of such full-time employment to providing legal representation to indigent persons in criminal or juvenile delinquency cases (or both), including an attorney who supervises, educates, or trains other persons providing such representation; or

"(iii) employed as a full-time Federal defender attorney in a defender organization established pursuant to subsection (g) of section 3006A of title 18, United States Code, that provides legal representation to indigent persons in criminal or juvenile delinquency cases (or both).

"(3) **STUDENT LOAN.**—The term 'student loan' means—

"(A) a loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

"(B) a loan made under part D or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq. and 1087aa et seq.); and

"(C) a loan made under section 428C or 455(g) of the Higher Education Act of 1965 (20 U.S.C. 1078–3 and 1087e(g)) to the extent that such loan was used to repay a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a loan made under section 428 or 428H of such Act.

"(c) **PROGRAM AUTHORIZED.**—The Attorney General shall, subject to the availability of appropriations, establish a program by which the Department of Justice shall assume the obligation to repay a student loan, by direct payments on behalf of a borrower to the holder of such loan, in accordance with subsection (d), for any borrower who—

"(1) is employed as a prosecutor or public defender; and

"(2) is not in default on a loan for which the borrower seeks forgiveness.

"(d) **TERMS OF LOAN REPAYMENT.**—

"(1) **BORROWER AGREEMENT.**—To be eligible to receive repayment benefits under subsection (c), a borrower shall enter into a written agreement with the Attorney General that specifies that—

"(A) the borrower will remain employed as a prosecutor or public defender for a required period of service of not less than 3 years, unless involuntarily separated from that employment;

"(B) if the borrower is involuntarily separated from employment on account of misconduct, or voluntarily separates from employment, before

the end of the period specified in the agreement, the borrower will repay the Attorney General the amount of any benefits received by such employee under this section; and

"(C) if the borrower is required to repay an amount to the Attorney General under subparagraph (B) and fails to repay such amount, a sum equal to that amount shall be recoverable by the Federal Government from the employee (or such employee's estate, if applicable) by such methods as are provided by law for the recovery of amounts owed to the Federal Government.

"(2) **REPAYMENT BY BORROWER.**—

"(A) **IN GENERAL.**—Any amount repaid by, or recovered from, an individual or the estate of an individual under this subsection shall be credited to the appropriation account from which the amount involved was originally paid.

"(B) **MERGER.**—Any amount credited under subparagraph (A) shall be merged with other sums in such account and shall be available for the same purposes and period, and subject to the same limitations, if any, as the sums with which the amount was merged.

"(C) **WAIVER.**—The Attorney General may waive, in whole or in part, a right of recovery under this subsection if it is shown that recovery would be against equity and good conscience or against the public interest.

"(3) **LIMITATIONS.**—

"(A) **STUDENT LOAN PAYMENT AMOUNT.**—Student loan repayments made by the Attorney General under this section shall be made subject to the availability of appropriations, and subject to such terms, limitations, or conditions as may be mutually agreed upon by the borrower and the Attorney General in an agreement under paragraph (1), except that the amount paid by the Attorney General under this section shall not exceed—

"(i) \$10,000 for any borrower in any calendar year; or

"(ii) an aggregate total of \$60,000 in the case of any borrower.

"(B) **BEGINNING OF PAYMENTS.**—Nothing in this section shall authorize the Attorney General to pay any amount to reimburse a borrower for any repayments made by such borrower prior to the date on which the Attorney General entered into an agreement with the borrower under this subsection.

"(e) **ADDITIONAL AGREEMENTS.**—

"(1) **IN GENERAL.**—On completion of the required period of service under an agreement under subsection (d), the borrower and the Attorney General may, subject to paragraph (2), enter into an additional agreement in accordance with subsection (d).

"(2) **TERM.**—An agreement entered into under paragraph (1) may require the borrower to remain employed as a prosecutor or public defender for less than 3 years.

"(f) **AWARD BASIS; PRIORITY.**—

"(1) **AWARD BASIS.**—The Attorney General shall provide repayment benefits under this section—

"(A) subject to the availability of appropriations; and

"(B) in accordance with paragraph (2), except that the Attorney General shall determine a fair allocation of repayment benefits among prosecutors and defenders, and among employing entities nationwide.

"(2) **PRIORITY.**—In providing repayment benefits under this section in any fiscal year, the Attorney General shall give priority to borrowers—

"(A) who, when compared to other eligible borrowers, have the least ability to repay their student loans (considering whether the borrower is the beneficiary of any other student loan repayment program), as determined by the Attorney General; or

"(B) who—

"(i) received repayment benefits under this section during the preceding fiscal year; and

"(ii) have completed less than 3 years of the first required period of service specified for the

borrower in an agreement entered into under subsection (d).

“(g) REGULATIONS.—The Attorney General is authorized to issue such regulations as may be necessary to carry out the provisions of this section.

“(h) REPORT BY INSPECTOR GENERAL.—Not later than 3 years after the date of the enactment of this section, the Inspector General of the Department of Justice shall submit to Congress a report on—

“(1) the cost of the program authorized under this section; and

“(2) the impact of such program on the hiring and retention of prosecutors and public defenders.

“(i) GAO STUDY.—Not later than one year after the date of the enactment of this section, the Comptroller General shall conduct a study of, and report to Congress on, the impact that law school accreditation requirements and other factors have on the costs of law school and student access to law school, including the impact of such requirements on racial and ethnic minorities.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of the fiscal years 2008 through 2013.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Virginia (Mr. FORBES) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Madam Speaker, I yield myself as much time as I may consume.

I am proud to join with the gentleman from Virginia (Mr. FORBES) and rise in strong support of H.R. 916 because our Nation's criminal justice system depends on the hard work and commitment of the men and women who serve as prosecutors and defenders; yet the ability of the public sector to attract qualified individuals and to retain experienced attorneys is increasingly becoming more compromised.

As many of us know, recent law school graduates are often burdened with overwhelming student education loans. The amount of their debt can effectively preclude a young attorney from choosing to practice in the public sector, and with the median salary for an associate in private practice now many times the median salary of a State prosecutor, public-spirited attorneys who owe extensive student loans have a very hard time deciding that they can afford to work in our criminal justice system.

In Wayne County, Michigan, our county prosecutor Ms. Kym Worthy, a veteran trial lawyer before she assumed the position, has come to me repeatedly asking for help in this area.

So this measure addresses the critical problem by directing the Attorney

General to establish a loan repayment assistance program for an individual who agrees to remain employed for at least 3 years as either a State or local criminal prosecutor or as a State, local or Federal public defender for criminal cases.

Madam Speaker, I reserve the balance of my time.

Mr. FORBES. Madam Speaker, I yield myself such time as I may consume.

H.R. 916, the John R. Justice Prosecutors and Defenders Incentive Act of 2007, establishes a loan forgiveness program within the Department of Justice for State and local prosecutors and for Federal, State and local public defenders. However, the bill, as introduced, raised several concerns regarding the breadth and cost of the loan forgiveness program.

I am pleased that the majority listened to our concerns, and at the Judiciary Committee markup we were able to reach a bipartisan compromise that ensures fiscal responsibility while encouraging young attorneys to join the criminal justice system and preventing attrition.

Many law school graduates carry a large amount of student loan debt, on average between \$50,000 and \$80,000. More than 80 percent of law students borrow to pay for their law degree, and the amount borrowed by many students exceeds \$100,000.

At the same time, the median entry level salary for State prosecuting attorneys is \$46,000, and the median entry level salary for public defenders is \$43,000.

Several States and prosecuting agencies currently offer loan repayment programs. Yet, H.R. 916, as introduced, made no provisions for whether participation in existing State and local loan repayment programs would offset repayment from this program.

This substitute amends the bill to direct the Department of Justice to consider applicants' participation in other loan repayment programs when determining their ability to pay their loans.

The bill, as introduced, would have resulted in a very costly program. Although the bill caps repayment at \$60,000 per applicant, as few as 25,000 applicants would have cost \$1.5 billion over the life of the program, even with the cap in place.

The bill also authorized the program at \$25 million for the first year and such sums as are necessary for each additional year. The bipartisan compromise authorizes \$25 million a year for 6 years. This fiscally responsible limit on the authorization provides Congress the opportunity to review the cost effectiveness of the program.

The bipartisan compromise directs the Inspector General of the Department of Justice to review the costs of the program and determine whether the program positively impacts the hiring and retention of prosecutors and public defenders.

The compromise also directs the Department of Justice to administer this

program subject only to the availability of appropriations, ensuring that the Department's criminal justice responsibilities remain a priority.

H.R. 916, as amended, directs the Attorney General to give priority to those applicants with the least ability to repay their loans. This provision guarantees that funds will be made available under this program to those prosecutors or public defenders suffering the greatest burden.

I thank Chairman CONYERS and Crime Subcommittee Chairman SCOTT for their cooperation on this legislation, and I urge my colleagues to support the bill.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself 1 minute to congratulate the gentleman from Virginia (Mr. FORBES), the floor manager of this bill, and to thank him for the helpful compromises that he led in working out the bipartisan support of this bill. I thank you.

Madam Speaker, I yield 6 minutes to the gentleman from Georgia (Mr. SCOTT), the author of the bill.

Mr. SCOTT of Georgia. Madam Speaker, I thank very much Chairman CONYERS. This is indeed a great moment. It is a great time, and I appreciate the leadership that you provide as chairman of the committee and all of our colleagues.

This is definitely a bipartisan effort to really deal with one of the most pressing issues facing our country today, Madam Speaker. I cannot think of a more significant thing we can do to make the essence of this country a reality for all. For at the cornerstone of America are these words: wisdom and justice and fairness and moderation. That is what makes this country great.

And at the cornerstone of that is to be able to have, when you come before the bar of justice, that justice is indeed blind and that everyone will be able to receive justice in a fair way. Regardless of whether or not you are a wealthy person or if you are a poor person, one thing is important: you are an American citizen and you deserve to make sure that you have fairness and justice and integrity when you come before the criminal justice system.

Unfortunately, now, Madam Speaker, that is not the case. For in all too many cases, when it comes down to public defenders and prosecutors, that is not the case because of the strains and the interplay of our economic system and the pressures that the marketplace has on that.

But what I am talking about is this, that right now the cost of living has gone up 28 percent, but the costs of tuition for 3 years in law school has gone up 167 percent. So that the average cost now per year for a student to go to law school is \$50,000 a year. For 3 years, that's \$150,000.

So, Madam Speaker, what I am saying is when that individual gets out of

school he has to go into a marketplace where the private economy is willing to pay him an average now of \$110,000, and in some markets in this country, such as New York or California and even in my home State of Georgia in Atlanta, beginning law school students going into the private sector can earn as much as \$160,000 a year. But if you're a public defender, if you're a prosecutor, the average starting salary is just \$43,000.

That is the crux of the problem, and that's why we have this bill, Madam Speaker, so that we can bring some equity to the playing field; so that we will be able to provide law students with the opportunity to help them with their loan repayment; so that we can have a partial loan forgiveness, not total.

This package that we're offering would give an individual up to \$10,000 from the Federal Government to help offset his loans, and he must serve in the public sector for 3 years. But there's also contingent in our bill that with agreement with the employer if he wants to extend that after priority has been given to those that come in at 3 years first, that he will be able to extend it for 3 more years. So the maximum they can get is \$60,000.

No, this will not solve the problem, Madam Speaker, but this is a very complex problem. But there are young people that understand the virtues and the need of this country to serve in the public arena, and we need those bright and talented individuals to be able to come into this arena, and this is a small incentive package for which we give.

As my colleague pointed out, this amounts to \$25 million a year up to 6 years. It is a small gesture, but it is a meaningful investment because otherwise what we have is today where many innocent people are languishing in jails because we are not addressing this issue and many who are criminals are going free.

And that's why for the last 2 years, Madam Speaker, I have been pushing and working on this bill because, at the crux of it all, as I said, America is great because of many things, but paramount is justice, it is wisdom and it is moderation. That's in our flag, that's in our motto, and that's what is in this bill.

This bill is a companion bill. We have the Senate who has already moved on this in a bipartisan way under the leadership of Senator RICHARD DURBIN of Illinois, their distinguished majority whip, and we're very proud.

So I am very proud for this moment at this time in this House of Representatives for us to move forthright and to be able to bring some help to our college law students and especially into the private sector and to those individuals who cannot afford a high-priced attorney but have to rely on a public defender.

Madam Speaker, don't these individuals deserve to be able to have the best

legal representation? Yes, they do, and that's why this bill is important and that's why I commend this to the full House of Representatives, and I am sure we will have a strong bipartisan vote for it.

I thank the chairman and thank my colleagues, and I urge your passage of this bill.

Mr. FORBES. Madam Speaker, I yield as much time as he may consume to the gentleman from Texas (Mr. POE), an individual who knows firsthand the importance of good prosecutors and public defenders having served as a district court trial judge.

Mr. POE. Madam Speaker, I want to thank the gentleman from Virginia for yielding some time.

Madam Speaker, I was a former prosecutor for 8 years and a judge in Texas for 22. I spent all my life basically in the criminal justice system as a prosecutor or as a trial judge, and I can attest to the high workload, long hours and low pay attributed to our Nation's prosecutors and to public defenders.

I have found over the years that most of them do what they do because they are committed to serving the public, either as a prosecutor or a public defender. They certainly don't do it for the money.

According to the Law Schools Admission Council, however, the average law school debt for an individual who borrows Federal or private loans is anywhere from \$90,000 up. The starting salary for local and State prosecutors and public defenders starts anywhere at \$25,000 and sometimes it reaches \$50,000. It is not nearly enough to cover the expenses and keep up with the high loan repayments every month that these lawyers have to deal with.

This leaves many qualified and dedicated lawyers leaving the district attorney's office and the public defender's office for work in the private sector where they can make more money. What happens is these lawyers get trial experience at taxpayers' expense, then leave for the big law firms because of their low government salary and their high law school debt.

When I served in the criminal courts as a judge for 22 years, I saw many good prosecutors and public defenders just leave public service because of this problem.

The people of our Nation and the victims of crime need to have the best trial lawyers we can find to prosecute criminal cases. Defendants, likewise, need competent public defenders to represent the rights of the citizen accused.

I am honored to be a cosponsor of H.R. 916, the John R. Justice Prosecutors and Defenders Incentive Act of 2007. Prosecutors and public defenders can have up to \$30,000 of law school debt erased if they serve 3 years in their current position in public service.

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Of course, this is a renewable debt forgiveness. If the trial lawyer is willing to work another 3 years as a pros-

ecutor or public defender, then a total of \$60,000 of law school debt can be forgiven. Most of the time, this will still not cover the majority of their law school debt.

Of course, local and State courts will benefit because they will be able to keep qualified and competent trial lawyers. We need the best trial lawyers in our legal profession to try criminal cases for the State and the defense.

Madam Speaker, we basically have two types of lawyers—trial lawyers. We have civil lawyers, and there are a lot of wonderful trial lawyers who are civil lawyers.

But, basically, civil lawyers argue in the courtroom over money. Nothing wrong with that, but that's what they are arguing over.

But in the criminal courts, we are arguing over something much more important than money, and it's the liberty of the person on trial. It is very serious business, and that's why you need the best prosecutor and the best public defender that we can find to represent both sides because the stakes are so high.

I urge my colleagues to support passage of H.R. 916.

I want to thank the gentleman from Georgia (Mr. SCOTT) for introducing this important piece of legislation.

Mr. CONYERS. Madam Speaker, I yield myself 1 minute and that is to describe the wide spectrum of legal support for this measure: the National District Attorneys Association, the American Bar Association, the National Association of Criminal Defense Lawyers, the National Legal Aid & Defender Association, and many others.

Madam Speaker, I am now pleased to introduce a gentleman from South Carolina, the chairman of the Budget Committee, as much time as he may consume, Mr. JOHN SPRATT.

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Chairman, thank you very much for this opportunity to say something on behalf of my constituent, John Reid Justice of South Carolina, my good friend, my constituent, my trusted counselor, whenever we had or I had any questions or any issues about criminal justice, because he was the expert.

Madam Speaker, John Justice was almost elected to Congress himself. But in the middle of his campaign, he did what duty called him to do. He was in the National Guard, he took 2 weeks out for summer camp, and never quite caught up. But for that, he might have been here sponsoring legislation like the very bill before us which is named after him.

But providence had a better role for John Justice. He became a prosecutor. We call them solicitors in South Carolina, not district attorneys. He became a solicitor for nearly 30 years, and he became a model solicitor. Others looked to him, admired him, and followed his example. The better part of

his professional life, he was the prosecutor in the Sixth Judicial Circuit of South Carolina. He was, as I said, a model prosecutor, so much so that the National District Attorneys Association elected him, from Chester, South Carolina, as president not long ago, just before he died.

In addition, he was a model prosecutor. If you could have seen his funeral, you would understand when I say the entire law enforcement community in South Carolina turned out to pay honor to this splendid fellow. He would have been proud to know that this bill bears his name, particularly because of its substance, not just because of the honor, but because of the substance of the bill. He would be proud to know that he was having some part in helping young lawyers afford the crushing burden of student loans.

So on behalf of the friends of John Justice, who knew him well and practiced with him, on behalf of his family, on behalf of all those who worked with him, I want to thank the committee for naming this bill after him and for honoring him in this very special way.

I urge support for the bill.

Mr. FORBES. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. I appreciate the gentleman yielding. I didn't know he was going to yield so quickly. I am still out of breath from running over here.

Madam Speaker, I wanted to come and lend my support to my good friend, Congressman DAVID SCOTT, my colleague from Georgia, and the John R. Justice Prosecutors and Defenders Incentive Act.

Congressman SCOTT and I both served in the Georgia senate, he for a while longer than I did, and with more power in the leadership there, but we had passed similar legislation in Georgia, this commonsense provision, to help give some relief to these young, brilliant attorneys who are willing to go into work to serve either as a prosecutor or a public defender.

The reason I feel so impassioned by it, my daughter, Phyllis Collins, has been practicing in the Cobb County judicial system now for about 3 years. She came out of law school at Michigan State after graduating from undergraduate school with a microbiology degree from Georgia Tech. I thought she would become a doctor, but she became a darn good lawyer instead.

She came out of that school with about \$100,000 in debt, just as this bill indicates in the language we have read. That's just a typical situation that my daughter, Phyllis, is in. She took that job for about \$60,000 a year, I believe. She served a year and a half as a prosecutor. Now she is a public defender.

It's people like Phyllis Collins that we need to encourage to do this kind of important work on behalf of people, the public defenders, the prosecutors. They are bringing justice to people that otherwise could not afford justice.

I think that I want to say once again to Congressman SCOTT and all the others on our side of the aisle as well, my good friend from Virginia, RANDY FORBES, who have brought this bill forward, I thank you for the time. I support it tremendously, and I congratulate you for doing this.

Mr. CONYERS. Madam Speaker, I yield myself as much time as I may consume.

I would bring to the attention of our membership a communication from the National Conference of Chief Justices at the State level in support of Federal legislation to create incentives to law students to participate in public service occupations after graduations.

The 109th Congress considered legislation designed to encourage qualified individuals to enter in and continue employment for at least 3 years as criminal prosecutors and public defenders by means of providing the United States Government payment of a portion of that individual student loan for each year of such employment.

Whereas the 110th Congress is also likely to consider legislation to assist the repayment of student loans of qualified individuals who commit to employment as prosecutors and public defenders, therefore, the Association of American Law Schools, Equal Justice Works, the National Legal Aid & Defender Association, and the American Bar Association have expressed support for the above-described legislation, and the lawyers to engage in civil and legal services to enhance access by justice, by low-income persons rendered valuable public service that is comparable to that provided by criminal prosecutors and public defenders.

Therefore, be it resolved that the Conference of Chief Justices hereby urges the Congress to adopt legislation to give financial incentives to law school graduates to commit to sustained public service as prosecutors and public defenders.

Therefore, the conference additionally encourages Congress to develop and adopt separate legislation providing similar relief for qualified individuals who engage in employment as civil, legal aid attorneys, adopted as proposed by the Government Affairs Committee and the Professionalism and Competence Committee of the Conference of Chief Justices on February 7 in the year 2007.

Madam Speaker, I would be happy to recognize former judge Louie Gohmert of the Judiciary Committee for 1 minute.

Mr. GOHMERT. Thank you, Mr. Chairman. I do applaud the chairman and the ranking member for the work on this bill.

Madam Speaker, having started out as an assistant district attorney, and then my years as a judge, I constantly saw how difficult it was in our Smith County District Attorney's Office to hire good lawyers, even to hire any lawyers. Thank you for your efforts on this behalf. I think it's a great bill and

the right way to do things, providing incentives to do good things. I appreciate it.

Mr. CONYERS. I thank the gentleman from Texas for his contribution.

Madam Speaker, I yield back the balance of my time.

Mr. FORBES. Madam Speaker, we just request and urge the passage of the bill.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in support of H.R. 916, the John R. Justice Prosecutors and Defenders Incentive Act of 2007. I thank the Chairman and the Ranking Member for their effort and time in holding this very important markup hearing.

Madam Speaker, I support H.R. 916 because it amends the Omnibus Crime Control and Safe Streets Act of 1968 to direct the Attorney General to assume the obligation to repay student loans for borrowers who agree to remain employed, for at least three years, as: (1) State or local criminal prosecutors; or (2) State, local, or Federal public defenders in criminal cases. H.R. 916 also will allow a borrower and the Attorney General to enter into an additional loan repayment agreement, after the required three-year period, for a successive period of service which may be less than three years. The bill also limits the amount paid under such program on behalf of any borrower to \$10,000 per calendar year and \$60,000 total.

Madam Speaker, this bipartisan legislation will benefit our criminal justice system and our communities by creating a student loan repayment program for law school graduates who agree to serve for at least 3 years as criminal prosecutors or public defenders.

Madam Speaker, over recent years we have witnessed the difficulty prosecutor and public defender offices across the country have had attracting and retaining qualified attorneys. We have also seen that our communities suffer when the criminal justice system fails to obtain and retain a sufficient supply of experienced prosecutors and defenders. Under those trying circumstances, the resulting effect is that criminal caseloads become unmanageable, cases can be delayed or mishandled, serious crimes may go unprosecuted, and innocent defendants may be sent to jail. H.R. 916 will improve the administration of the criminal justice system to recruit and retain talented attorneys and help that system function more effectively.

Although I support H.R. 916, it needs to go a step further in ensuring that bright lawyers will lend their services to civil public service legal careers that include legal aid to this country's most disadvantaged and vulnerable populations. That is why during the markup of H.R. 916 I strongly supported the Nadler Amendment, which included civil legal aid attorneys in the category of lawyers eligible for loan forgiveness. Indeed, the Nadler Amendment is comparable to more extensive legislation that I plan to introduce.

Including civil legal aid attorneys in the group who may qualify for loan forgiveness when committing to work in public service will help to recruit and retain legal aid lawyers so that low-income Americans receive the legal assistance they need. Specifically, the Amendment would provide a loan repayment program for new law graduates who work for legal aid.

Providing loan relief for legal aid attorneys is crucial. Legal Aid attorneys protect the safety, security, and health of low-income citizens nationwide. Support for such programs not only provides relief for prospective legal aid attorneys but also for the most vulnerable members of our population. Such programs are available for Federal prosecutors and other Federal employees. But, for the legal aid attorneys—who have the lowest incomes—there currently is not enough access to loan repayment programs. We must ensure that legal aid attorneys receive the financial incentives they need to commit to a career in legal aid.

Without such incentive as loan relief, the legal aid field will continue to fall far short of the mark to meet the needs and demands of requests for legal assistance. Despite the importance of the services legal aid lawyers provide, almost half of the eligible people seeking assistance from Legal Aid are being turned away because of a lack of resources. As law school tuition has skyrocketed, so has a young lawyer's debt. A recent survey found that with median law school debt at \$70,000 with an additional \$16,000 in undergraduate debt, over 65 percent of new law school graduates were prevented from even considering a public service career.

Given the financial realities, individuals who take positions with legal aid often leave after two or three years. One Midwestern program cited a turnover rate of 60 percent over a two year period, with an average tenure for new attorneys of 17 months. Many of these young attorneys leave at a time when they have just develop necessary experience, creating a revolving door of inexperienced lawyers. This turnover dramatically decreases the efficiency of the program and the vital services it provides. Such a bill would allow young lawyers to choose a career in public service without having to bear the heavy burden of law school debt on their own.

Madam Speaker, whether legal aid attorneys, prosecutors or public defenders, public service attorneys must be given some comparable incentive to choose a career in public service instead of a career in the higher-paying private sector arena. One of the primary reasons for the recruiting difficulty of the administration of the criminal justice system is that huge amounts of student debt have pulled students in the opposite direction of public service careers such as those of prosecutors and defenders. Why? We all know that no one is going to get rich going into service careers such as teachers, social workers, and prosecutors and public defenders especially when they are starting out with enormous student loan obligations. That is why we must give those who wish to serve in public service careers incentive such as loan forgiveness so that they will not forgo service careers simply because they are buried in mounds of student loans.

H.R. 916, which authorizes \$25 million in appropriations for FY08, establishes a program of student loan repayment for borrowers who agree to remain employed, for at least 3 years, as State or local criminal prosecutors or as State, local or Federal public defenders in criminal cases (note that Federal prosecutors are already eligible for loan relief through existing Federal programs). The 3 year period is comparable to other loan forgiveness programs.

Other important aspects of the bill include: allowing eligible attorneys to receive student

loan debt repayments of up to \$10,000 per year, with a maximum aggregate over time of \$60,000; covering student loans made, insured or guaranteed under the Higher Education Act of 1965, including consolidation loans; providing that repayments benefits be made available to eligible attorneys on a first-come, first served basis, subject to the availability of appropriations; and permitting attorneys to enter into additional loan repayment agreements, after the required 3-year period, for additional periods of service. The bill also sets safeguards to ensure loan forgiveness participants satisfy their commitments by requiring attorneys to repay the Government if they do not complete their required period of service.

Madam Speaker, this bill has bipartisan support as well as wide support in the legal community. H.R. 916 is supported by the American Bar Association, the National District Attorneys Association, the National Association of Prosecutor Coordinators, the National Legal Aid and Defender Association and the National Association of Criminal Defense Lawyers.

Madam Speaker, I strongly support this bill and urge my colleagues to support this bill.

Mr. FORBES. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 916, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CONYERS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

#### RECOGNIZING NATIONAL FOSTER CARE MONTH

Mr. McDERMOTT. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 263) recognizing National Foster Care Month as an opportunity for Congress to improve the foster care system throughout the United States, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 263

Whereas National Foster Care Month provides an opportunity to recognize the important role that the foster care system plays in the lives of the more than 500,000 children currently in foster care programs throughout the United States;

Whereas National Foster Care Month also provides an opportunity to explore the difficulties faced by children in the foster care system and to reaffirm the Nation's commitment to improving the lives of these children by improving foster care programs;

Whereas many children in the foster care system have spent multiple years in foster care programs and have experienced an un-

stable home life due to frequent moves from one foster home to another;

Whereas approximately 50 percent of foster care children have been placed in foster care programs for longer than 1 year;

Whereas 25 percent of foster care children have been placed in foster care programs for at least 3 years;

Whereas children in foster care programs for longer periods of time often experience worse outcomes than children in foster care programs for shorter periods of time;

Whereas children in foster care programs are more likely than the general population to become teen parents, to rely on public assistance as adults, to become homeless, and to experience mental health disorders at a higher rate;

Whereas repeated studies have shown that a child's very early years are critical for brain development, meaning that it is extremely important to find suitable permanent homes for children during this critical period;

Whereas there are 119,000 children eligible for adoption every year and less than half of the children in foster care programs actually get adopted;

Whereas a stable home is critical to a child's development; and

Whereas every child deserves to be raised by a loving family: Now, therefore, be it

*Resolved*, That in recognition of National Foster Care Month and in order to improve the foster care system throughout the United States, it is the sense of the House of Representatives that Congress should ensure that improving the foster care system remains a top priority for both Congress and the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. McDERMOTT) and the gentleman from Illinois (Mr. WELLER) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

Mr. McDERMOTT. Madam Speaker, the month of May marks National Foster Care Month. The foster care system provides a safe sanctuary for children who are unable to live safely in their homes.

Its primary goal is to ensure their safety and well-being by providing them with critical services and working to find a safe and loving and permanent home. Over 500,000 American children are in the foster care system on any given day with over 100,000 of these children waiting to be adopted. They need our help, and I believe this is one place where every Member of the House can come together as one, committed to protecting these innocent children.

This morning, we, Mr. WELLER and I, had a hearing in the Ways and Means Subcommittee on Income Security and Family Support to review the changes and the challenges that child welfare agencies encounter in achieving positive outcomes for children and families under their service.

The hearing identified a number of areas that need to be improved to strengthen children and families, which I am committed to addressing. The hearing also highlighted the commitment of some of our most selfless Americans on behalf of some of our most vulnerable children. Millions of Americans serve as foster parents, and,